

EXHIBIT 16



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AMO DEVELOPMENT, LLC, AMO
MANUFACTURING USA, LLC and
AMO SALES AND SERVICE, INC.,

Plaintiffs,
v.

ALCON VISION, LLC,
ALCON LABORATORIES, INC. and
ALCON RESEARCH, LLC,

Defendants.

C.A. No. 20-842-CFC

JURY TRIAL DEMANDED

ALCON INC., ALCON RESEARCH,
LLC, and ALCON VISION, LLC,

Plaintiffs,

v.

AMO DEVELOPMENT, LLC,
AMO MANUFACTURING USA, LLC,
AMO SALES AND SERVICE, INC.,
and JOHNSON & JOHNSON
SURGICAL VISION, INC.,

Defendants.

ALCON'S FOURTH SET OF INTERROGATORIES (NO. 23)

Pursuant to Federal Rules of Civil Procedure Rules 26 and 33 and the Local Rules of this Judicial District, Defendants Alcon Vision LLC, Alcon Laboratories, Inc., and Alcon Research, LLC, and Counterclaim-Plaintiffs Alcon Inc., Alcon Vision, LLC, and Alcon Research, LLC (collectively, "Alcon") hereby request that Plaintiffs and Counterclaim-Defendants AMO Development, LLC, AMO

Manufacturing USA, LLC, AMO Sales And Service, Inc., and Johnson & Johnson Surgical Vision, Inc. (collectively, “J&J” or “Plaintiffs”) answer the following interrogatories within thirty (30) days of service. These interrogatory requests are deemed to be continuing and impose upon Plaintiffs the obligations stated in Federal Rule 26.

DEFINITIONS

Except as expressly provided below, Alcon incorporates by reference the Definitions and Instructions set forth in Alcon’s First Set of Interrogatories, Alcon’s Second Set of Interrogatories, and Alcon’s Third Set of Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 23:

Identify the complete factual and legal bases for any equitable relief that J&J seeks for Alcon’s alleged copyright infringement, including without limitation any claim that J&J is entitled to disgorgement of Alcon’s profits as well as why any such Alcon profits are attributable to the alleged infringement and not due to factors other than the asserted copyrights, and the time period for which J&J contends it is entitled to disgorgement of Alcon’s profits.

Dated: January 14, 2022

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Research, LLC*

CERTIFICATE OF SERVICE

I, Noah S. Frank, hereby certify that on January 14, 2022, this document was served on the persons listed below in the manner indicated:

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EXHIBIT 17



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FOR THE DISTRICT OF DELAWARE**

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ALCON LABORATORIES, INC. and
ALCON RESEARCH, LLC,

Defendants.

ALCON INC., ALCON RESEARCH,
LLC, and ALCON VISION, LLC,

Plaintiffs,

v.

AMO DEVELOPMENT, LLC,
AMO MANUFACTURING USA, LLC,
AMO SALES AND SERVICE, INC.,
and JOHNSON & JOHNSON
SURGICAL VISION, INC.,

Defendants.

ALCON'S FIFTH SET OF INTERROGATORIES (NOS. 24-27)

Pursuant to Federal Rules of Civil Procedure Rules 26 and 33 and the Local Rules of this Judicial District, Defendants Alcon Vision LLC, Alcon Laboratories, Inc., and Alcon Research, LLC, and Counterclaim-Plaintiffs Alcon Inc., Alcon Vision, LLC, and Alcon Research, LLC (collectively, "Alcon") hereby request that Plaintiffs and Counterclaim-Defendants AMO Development, LLC, AMO

Manufacturing USA, LLC, AMO Sales And Service, Inc., and Johnson & Johnson Surgical Vision, Inc. (collectively, “J&J” or “Plaintiffs”) answer the following interrogatories within thirty (30) days of service. These interrogatory requests are deemed to be continuing and impose upon Plaintiffs the obligations stated in Federal Rule 26.

DEFINITIONS

Alcon incorporates by reference the Definitions and Instructions set forth in Alcon’s First Set of Interrogatories, Alcon’s Second Set of Interrogatories, Alcon’s Third Set of Interrogatories, and Alcon’s Fourth Set of Interrogatories.

INTERROGATORIES

INTERROGATORY NO. 24:

Separately, for each defense and defensive doctrine asserted against Plaintiffs’ allegations of copyright infringement, as described in Alcon’s Answer to the Amended Complaint, any amended Answer, and in Alcon’s responses to J&J’s Interrogatory Nos. 5 and 24, explain J&J’s position in response, if any, including the complete factual and legal basis therefore, and identify all Documents and witnesses that support Your contentions.

INTERROGATORY NO. 25:

Identify each act of copyright infringement that you allege Alcon is liable for, including whether Alcon is directly or indirectly liable for the allegedly infringing act; the amount of monetary relief you allege J&J is entitled to recover for each act,

including without limitation the amount of J&J's actual damages or disgorgement of Alcon's profits; and the time period for which J&J contends it is entitled to such monetary relief.

INTERROGATORY NO. 26:

Identify each entity that derives revenue from CATALYS, including without limitation each entity that has received revenue from CATALYS sales and/or use and the amount of revenues and profits (gross and net) that each identified entity lost due to Alcon's alleged infringement of the J&J Asserted Works.

INTERROGATORY NO. 27:

Identify each entity that has an ownership interest in the J&J Asserted Works and how each identified entity was and/or continues to be harmed by Alcon's alleged infringement of the J&J Asserted Works, including without limitation the complete factual and legal bases that the identified entities have lost sales or revenue due to Alcon's alleged infringement of the J&J Asserted Works.

Dated: January 20, 2022

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Research, LLC*

CERTIFICATE OF SERVICE

I, Noah S. Frank, hereby certify that on January 20, 2022, this document was served on the persons listed below in the manner indicated:

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Noah S. Frank

EXHIBIT 18



REDACTED
IN ITS
ENTIRETY

EXHIBIT 19



REDACTED
IN ITS
ENTIRETY

EXHIBIT 20



REDACTED
IN ITS
ENTIRETY

EXHIBIT 21



REDACTED
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EXHIBIT 22



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FOR THE DISTRICT OF DELAWARE**

AMO DEVELOPMENT, LLC,
AMO MANUFACTURING USA, LLC
and AMO SALES AND SERVICE, INC.,

Plaintiffs,

v.

C.A. No. 20-842 (CFC)

ALCON VISION, LLC,
ALCON LABORATORIES, INC. and
ALCON RESEARCH, LLC,

Defendants.

ALCON INC.,
ALCON RESEARCH, LLC, and
ALCON VISION, LLC,

Defendants and
Counter-Plaintiffs,

v.

AMO DEVELOPMENT, LLC,
AMO MANUFACTURING USA, LLC,
AMO SALES AND SERVICE, INC.,
and JOHNSON & JOHNSON
SURGICAL VISION, INC.

Plaintiffs and Counter-
Defendants.

Andy Pang
3/3/22

Exhibit 2

Deanna Dean, RDR, CRR

**J&J VISION'S RESPONSES AND OBJECTIONS TO ALCON'S NOTICE
OF DEPOSITION, PURSUANT TO FED. R. CIV. P. 30(B)(6)**

calculated to lead to the discovery of admissible evidence nor proportional to the needs of this case. J&J Vision objects to this topic on the grounds that it calls for information not within the possession, custody, or control of J&J Vision. J&J Vision further objects to this topic to the extent it calls for legal conclusions and/or expert testimony, and is therefore inappropriate subject matter for a Rule 30(b)(6) deposition of J&J Vision corporate representatives, including insofar as it concerns portions of the J&J Asserted Works that “are not subject to copyright protection under the merger, *scènes à faire*, or other limiting doctrine.” J&J Vision further objects to this topic as improperly seeking J&J Vision’s contentions.

Subject to and without waiving the foregoing general and specific objections, J&J Vision is willing to meet and confer regarding this topic.

TOPIC NO. 7:

The ownership of the J&J Asserted Works, including but not limited to the Persons who created the J&J Asserted Works, any agreements concerning the J&J Asserted Works, and any other grounds on which J&J claims ownership of the J&J Asserted Works.

RESPONSE TO TOPIC NO. 7:

J&J Vision incorporates by reference each of its General Objections and each of its Objections to Definitions. J&J Vision objects to this topic on the grounds that it seeks information that is cumulative and duplicative of other forms of discovery

that are more convenient, less burdensome, or less expensive. J&J Vision objects to this topic on the grounds that it calls for information not within the possession, custody, or control of J&J Vision. J&J Vision further objects to this topic as overly broad and unduly burdensome because it fails to define the topic with reasonable particularity as required by Rule 30(b)(6), thereby depriving J&J Vision of a reasonable opportunity to prepare a witness or witnesses to testify, including because the topic broadly concerns “any agreements concerning the J&J Asserted Works.” J&J Vision further objects to this topic to the extent it calls for legal conclusions and/or expert testimony, and is therefore inappropriate subject matter for a Rule 30(b)(6) deposition of J&J Vision corporate representatives. J&J Vision further objects to this topic as improperly seeking J&J Vision’s contentions, including insofar as it concerns “any other grounds on which J&J claims ownership of the J&J Asserted Works.”

Subject to and without waiving the foregoing general and specific objections, J&J Vision will designate one or more witnesses to testify about the non-objectionable scope of this Topic and responsive non-privileged information known to J&J Vision about the facts underlying ownership of the J&J Asserted Works, located upon a reasonable search.

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Johnson & Johnson Surgical Vision, Inc.*

January 27, 2022

EXHIBIT 23



REDACTED
IN ITS
ENTIRETY

EXHIBIT 24



REDACTED
IN ITS
ENTIRETY

EXHIBIT 25



REDACTED
IN ITS
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EXHIBIT 26



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